

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	McCarty, et al.) Group Art Unit 2615
)
Appl. No. :	10/786,576)
)
Filed :	February 24, 2004)
)
For :	SYSTEM AND METHOD FOR MOUNTING OF AUDIO- VISUAL COMPONENTS)
)
Examiner :	Paul Disler)
)

DECLARATION UNDER 37 C.F.R. § 1.131

1. This declaration is to establish invention priority of the above-referenced U.S. Patent Application No. 10/786,576.
2. I, William A. McCarty, am a joint inventor of the claims in the above-referenced application.
3. I have reviewed the Office Action from the Examiner at the Patent and Trademark Office dated August 28, 2007 rejecting the claims of the above-referenced application under 35 U.S.C. §§ 102-103.
5. I, along with my co-inventor, had conceived of the invention at least prior to September 3, 2003 in this country, as described and claimed in the application, and diligently continued to develop embodiments of the claimed invention while also working with my patent counsel to prepare and file the application, including during the critical period between September 3, 2003 and February 24, 2004, as evidenced by the following events:
 - a. Prior to September 3, 2003, a set of drawings were prepared illustrating and describing the concepts of the above-referenced application. Appendix A is copy of the drawings.
 - b. To my knowledge, prior to September 3, 2003, an initial price quotation was sent to a potential customer for one embodiment of the concepts of the above-referenced application. Appendix B is a redacted copy of the quotation is attached.
 - c. Prior to September 3, 2003, I received a price quotation from a potential manufacturer of one embodiment of the concepts of the above-identified application. Appendix C is a redacted copy of the quotation is attached.

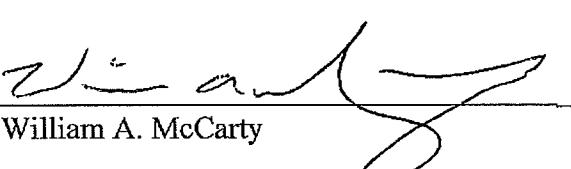
Appl. No. : **10/786,576**
Filed : **February 24, 2004**

- d. To my knowledge, on September 3, 2003, a final price quotation was sent to the same potential customer for one embodiment of the concepts of the above-referenced application. Appendix D is a redacted copy of the quotation is attached.
- e. Between at least September 3, 2003 and February 24, 2004, I continued diligent development of a product based on the concepts of the above identified application. Appendix E is attached with copies of emails related to that development.
- f. Between at least November 17, 2003 and February 24, 2004, I communicated via email and in person with attorneys from Knobbe Martens to discuss the content of the application and to comment on drafts.
 - i. On November 17, 2003, I met with attorneys James Herkenhoff and Tom Arno of Knobbe Martens to discuss patenting the concepts of the above-reference application. Appendix F is a redacted copy of an email outlining our agenda for that meeting.
 - ii. On January 14, 2004, I received a copy of the first complete draft of the application from Mr. Arno. Appendix G is a redacted copy of the letter enclosing the draft.
 - iii. On February 11, 2004, I received a revised draft of the application from John Rickenbrode at Knobbe Martens. Appendix H is a copy of an email attaching the draft.
- g. To my knowledge, the application was filed on February 24, 2004 after my review of the revised draft.

Penalty of Perjury Statement

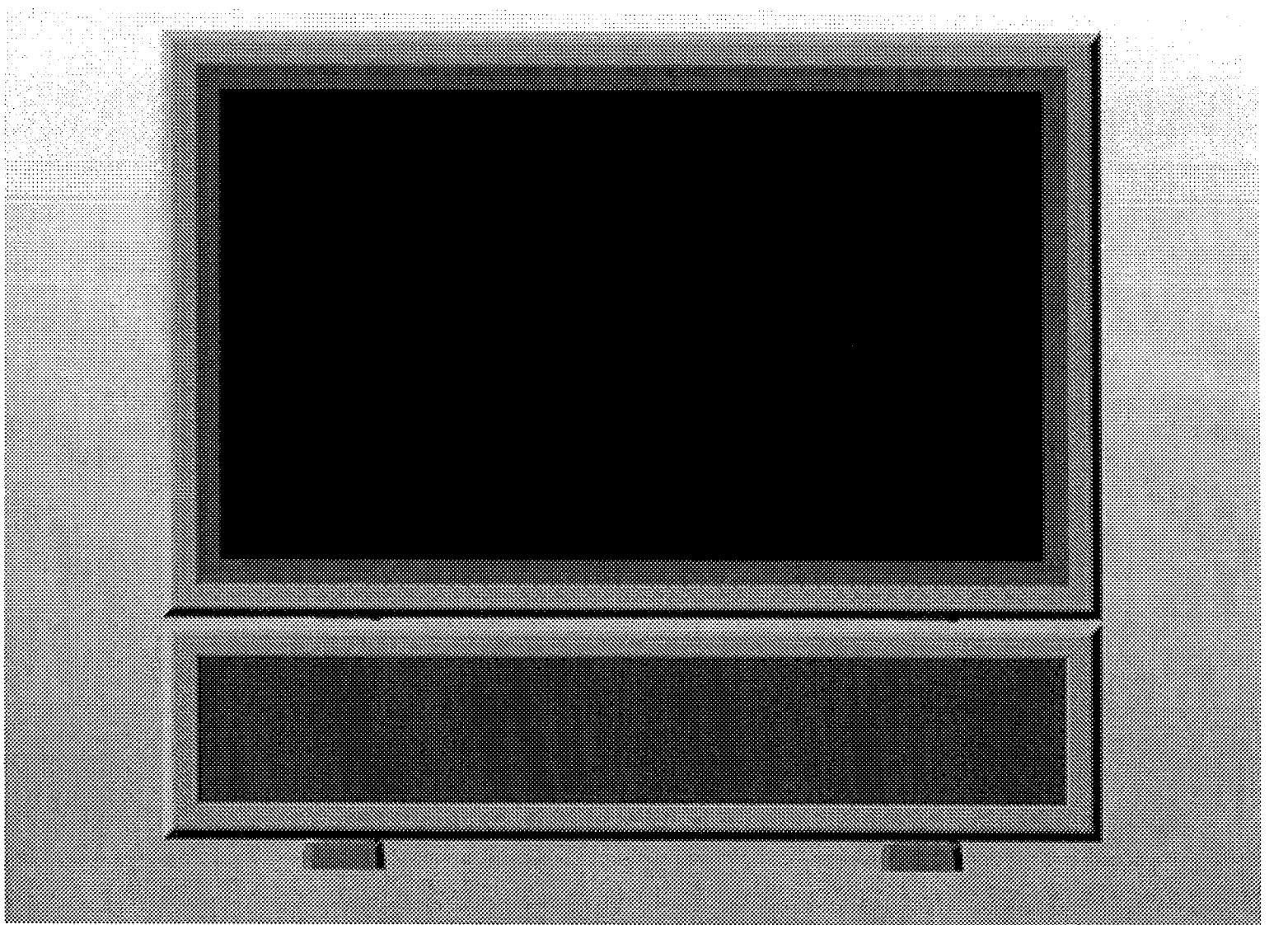
I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent resulting therefrom.

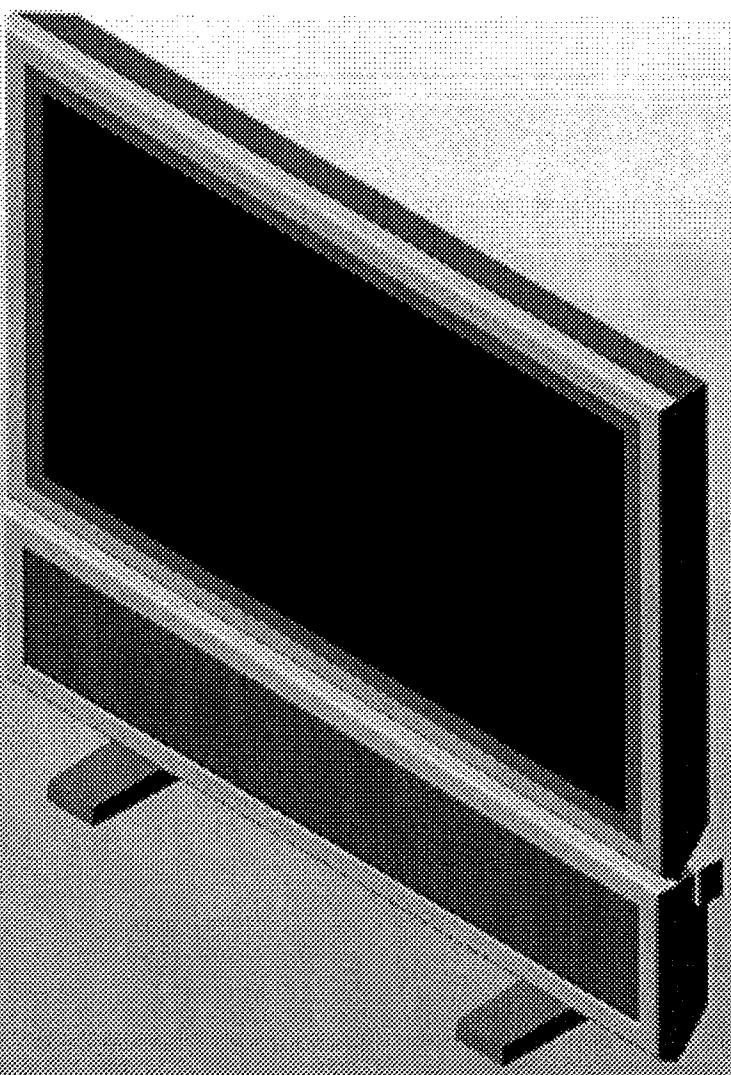
Dated: 12-20-07

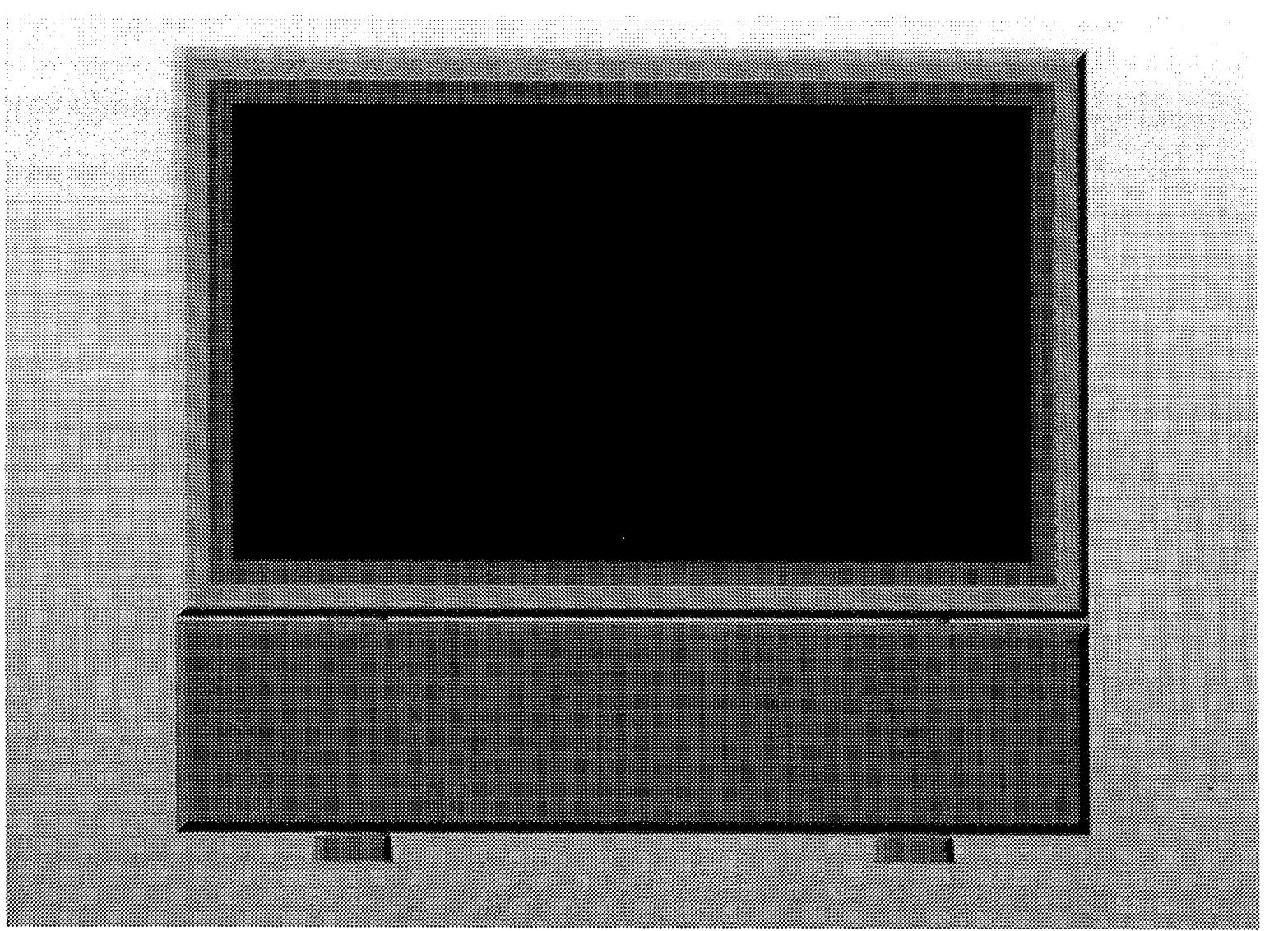
By: 
William A. McCarty

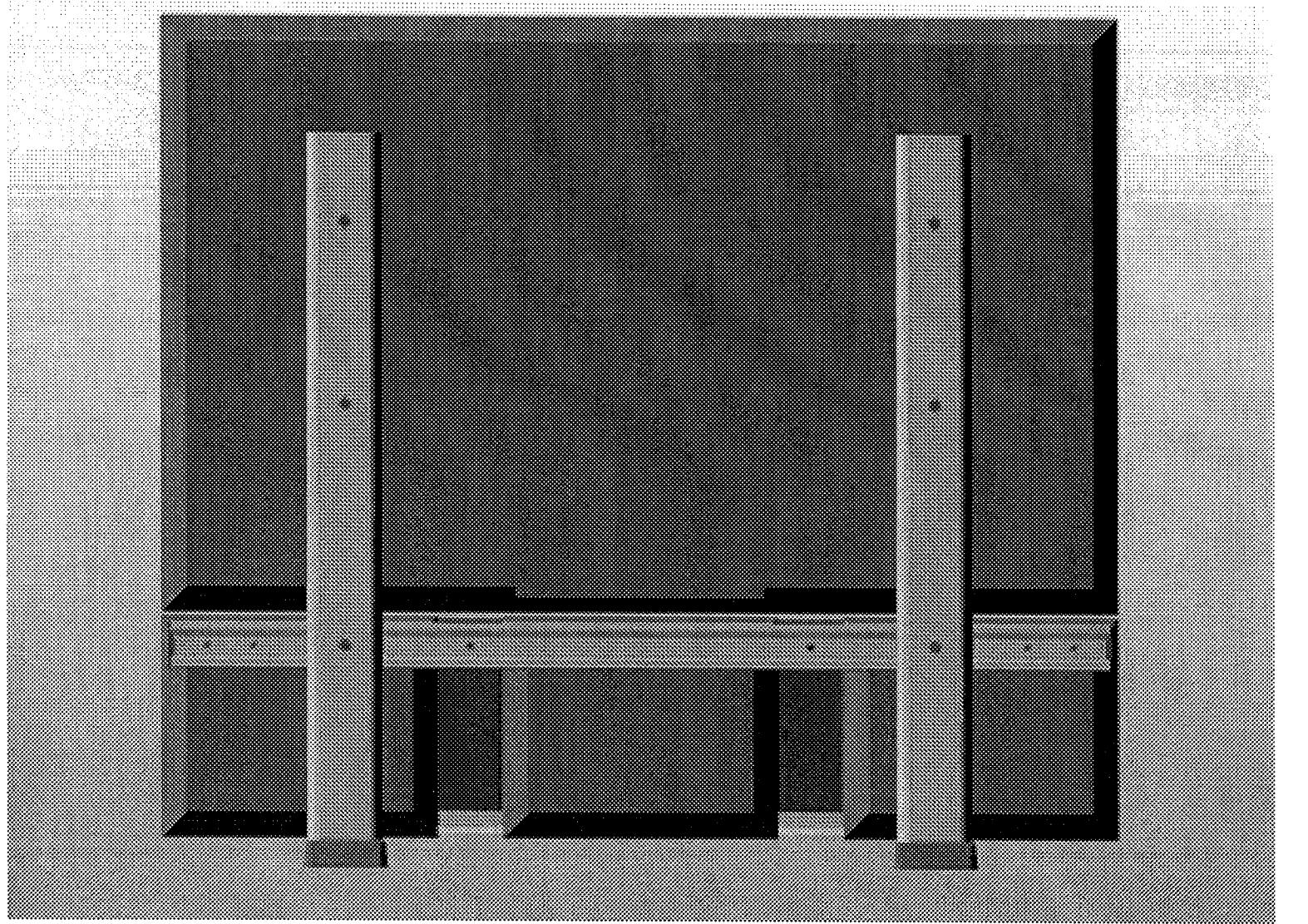
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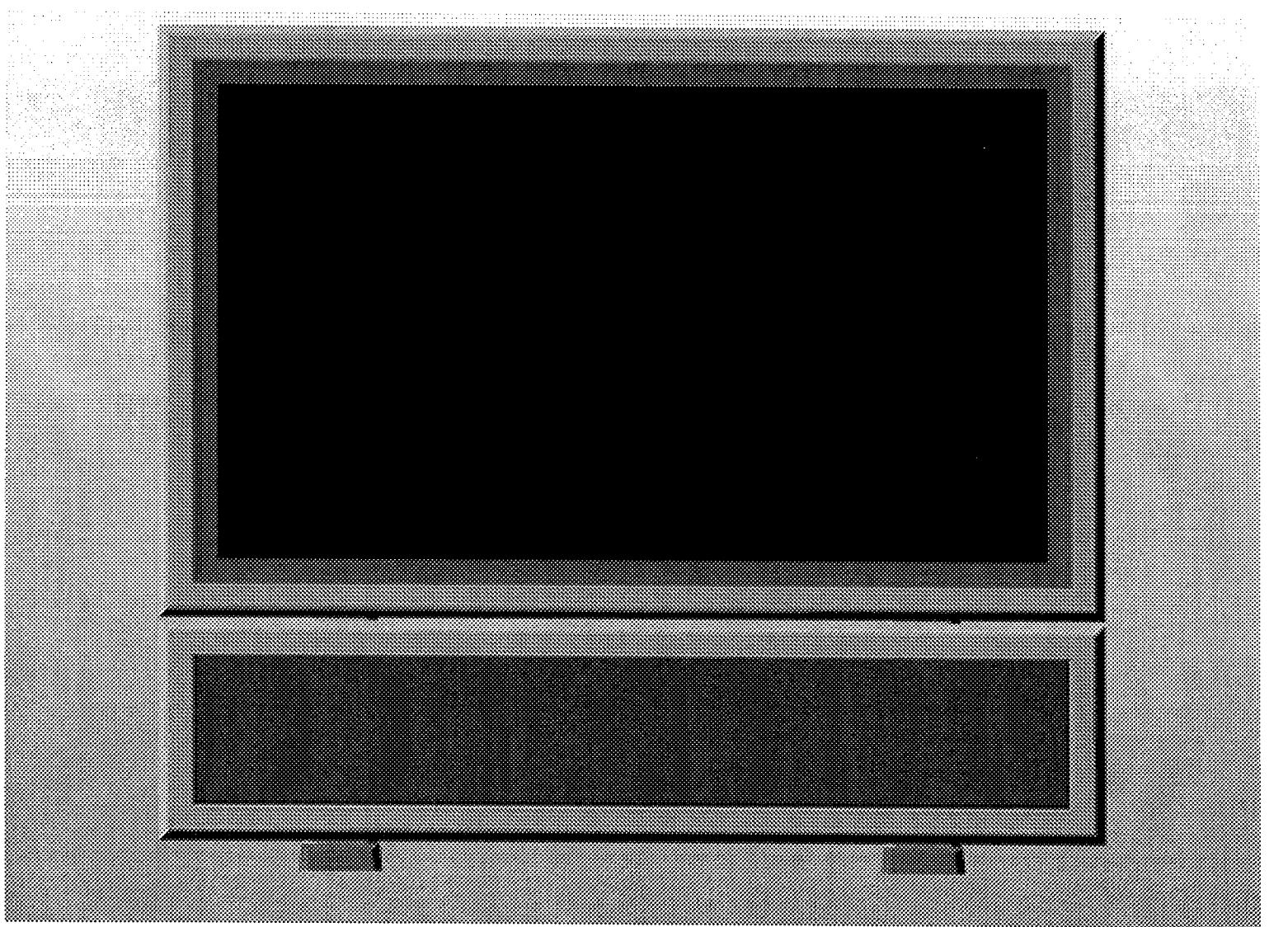
Appendix A

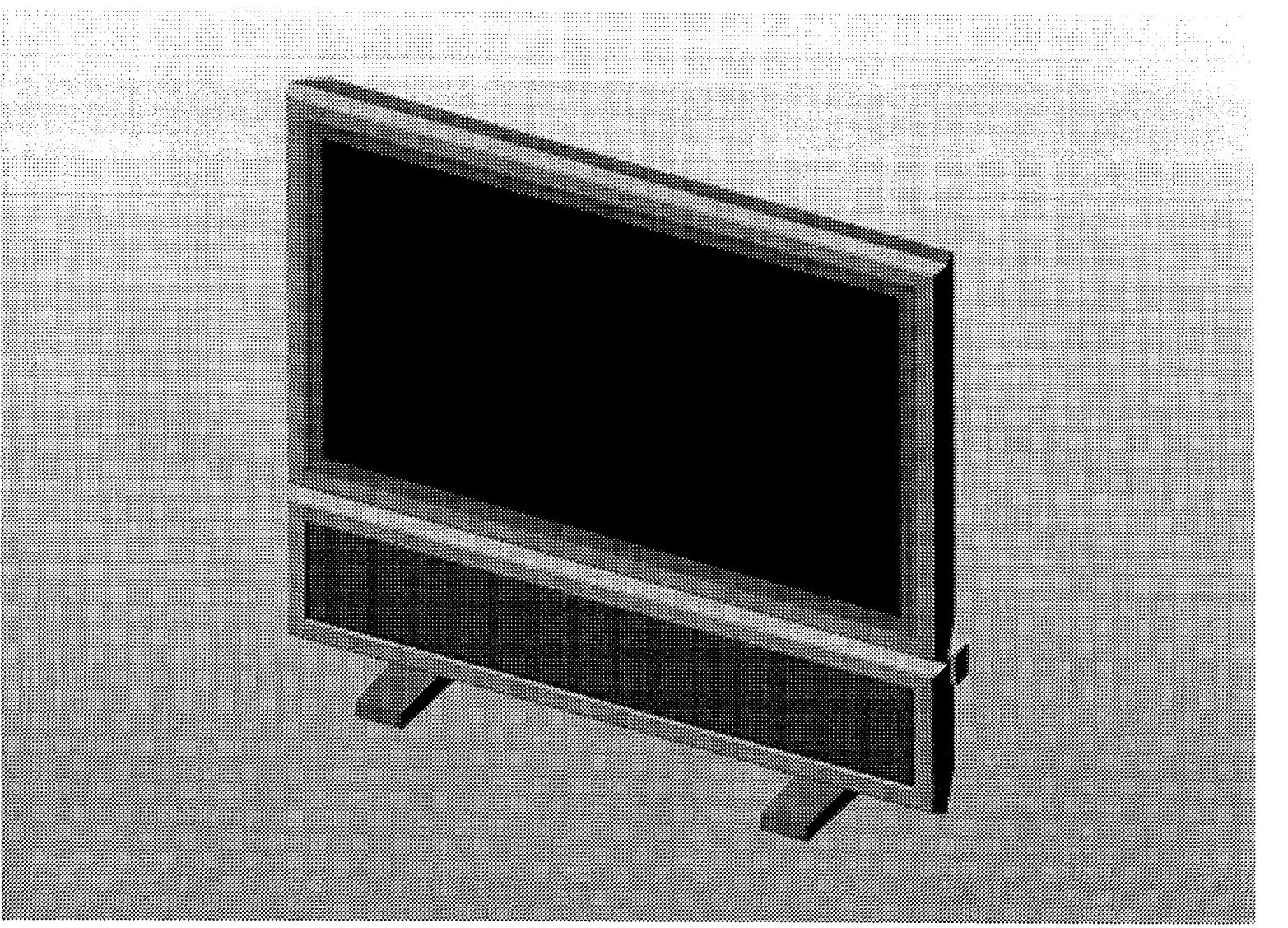


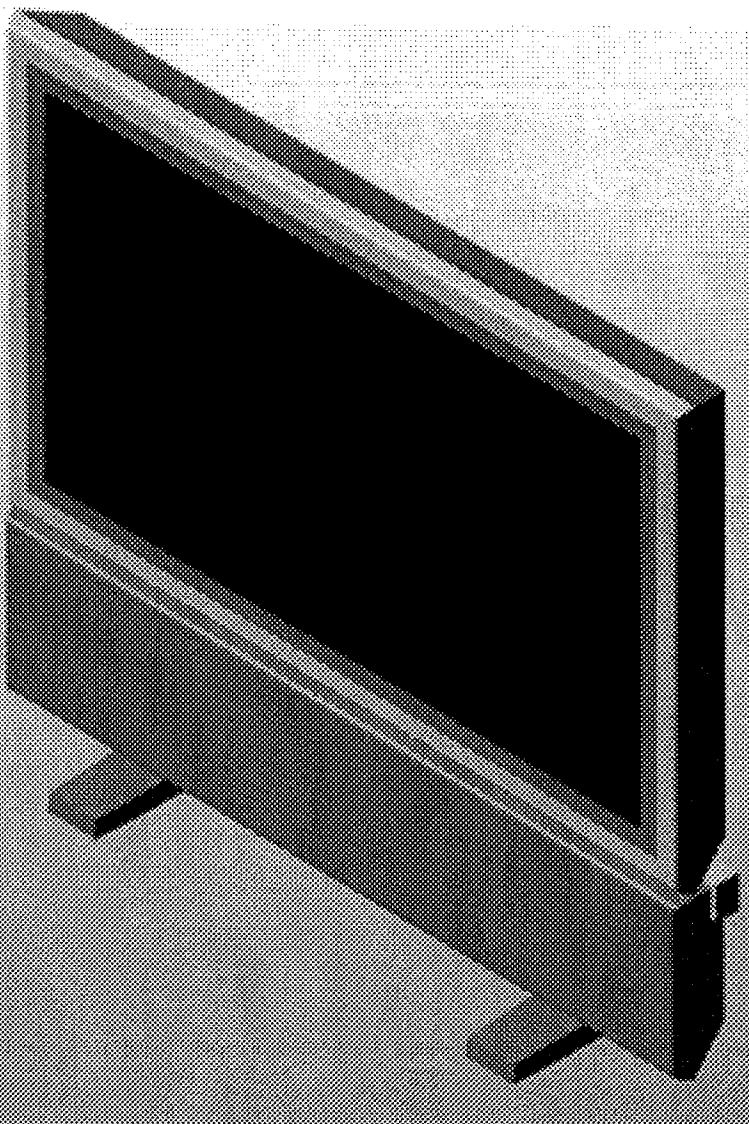


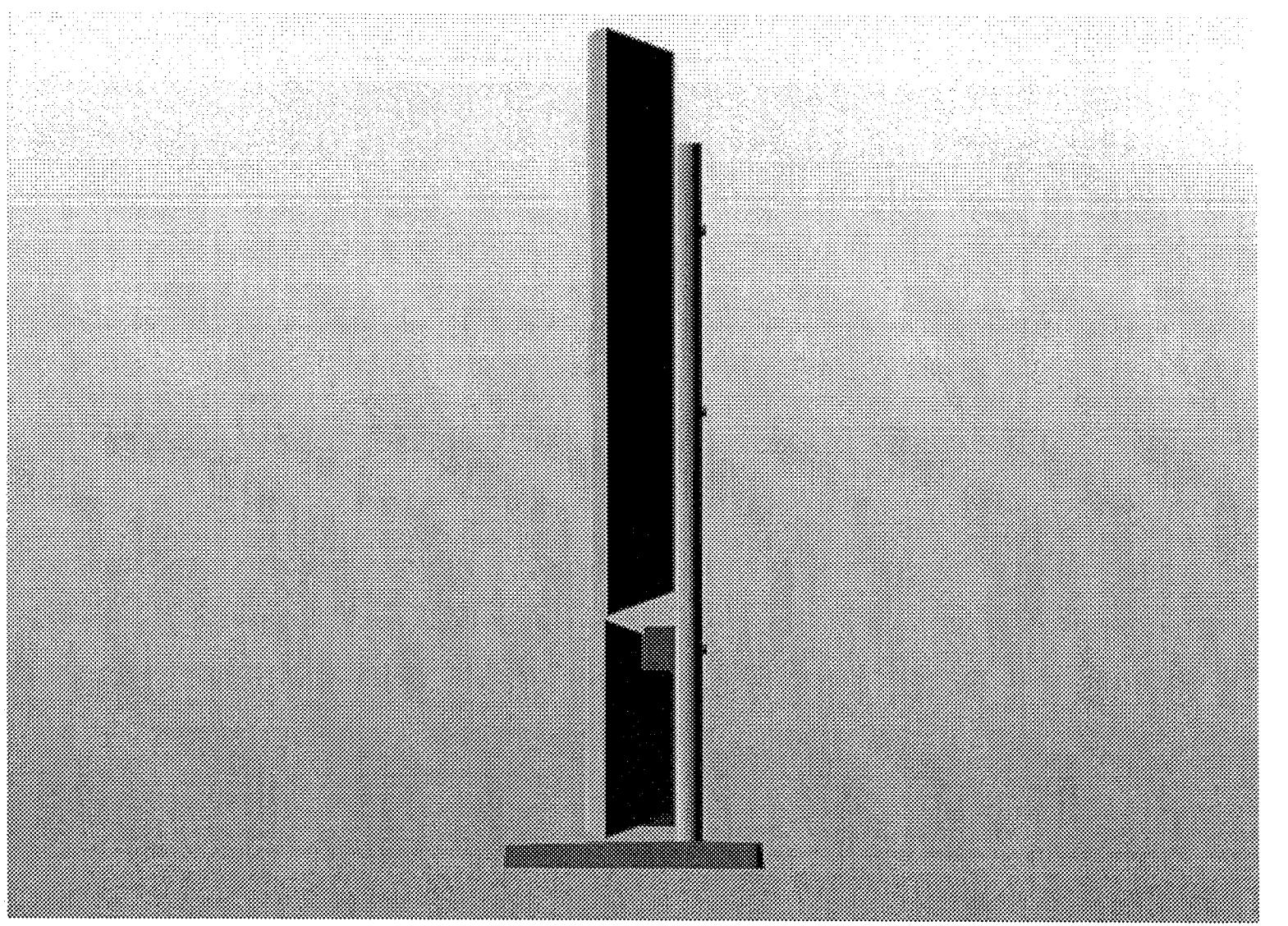












Appendix B



8653 Avenida Costa Norte
San Diego, Ca 92154
Phone: 619-671-0110
Fax: 619-671-0330

Date:

REF: Gateway LCR and Wireless Sound System
Component pricing

To: Tom Grueskin
Director, Digital Television Group
Gateway Corporation
14303 Gateway Place
Poway, CA 92064

CC: Dave Russell, General Manager
Helen Li, Senior Manager Digital Solutions

QUOTATION

KSC INDUSTRIES, INC. is pleased to quote the following items:

Line Number	KSC Part Number	Description	Min. Qty.	Price	UOM	Lead-Time	Note
1	A	LCR Sound Bar - 3.0 System	500		ea	7 Weeks	4,8
2	B	Passive Sub-Woofer	250		ea	7 weeks	8
3	C	Wireless Sub-Woofer	250		ea	7 weeks	5,8
4	D	Passive Surrounds	500		pr	7 weeks	8
5	E	Wireless Surrounds	500		pr	7 weeks	8
Please refer to pricing matrix and system maps accompanying this quotation							

REDACTED

Terms and conditions of this quotation are per stipulations below. Any additional terms, conditions, notes or exceptions must be in writing or entered in body of above quote.

1. All Pricing is Ex-works
2. All Pricing is based on U.S. currency
3. Product Payment terms are Net 30 Ex-Works
4. LCR Sound Bar does not include wireless transmitters or receivers for Sub-Woofers or Surrounds
5. Wireless Sub-Woofer '(C) will be packaged with a receiver kit and transmitter to be mounted in LCR (A)
6. Wireless Surrounds (E) will be packaged with receiver kits and a transmitter to be mounted in LCR (A)
7. KSC Industries will bear all Non Recoverable Engineering (NRE) costs associated with development of above
8. Ex-Works delivery lead time from completion and approvals of all tooling & placement of firm Purchase Orders

By:

Malcolm S. Hollombe
Vice President, General Manager

Wireless Upgrade package

S	Material	Dwg #	Cost	EXT.	With 14% FKSC 60%
1	Wireless upgrade package			FOB Shanghai	

sub-TL

FRONT ASSEMBLY COMPONENTS

1	Transmitters with swit
1	Assembly Labor PCB S

REDACTED

COMMON SKU (Box 2)

2	Power supply 2 amp 24	Review this cost
2	Rx I2S rf receiver	
2	50 watt amplifiers, mono	
1	Assembly Labor (RF Rx)	
1	Rx analog rf receiver	
1	Packaging	

Wireless Upgrade package

REDACTED

Rough business overview Soundbar product line

Description	Material Cost	Landed Cost	Sell Price	Retail Price	Quantity Per Month	Annual Quantity	Annual Sales	Working \$	Warranty annual cost	Marketing Expense 15%
Soundbar 5. 1 with RF Waves (Now)										
Target Price										
Passive 5.1 (Now)										
Target Price										
Passive 3.1 (Now)										
Target Price										
Active 3.1 (Now)										
Target Price										
Wireless Upgrade										
Wireless modules plus surround										
Total										
Development cost										
5 Engineers for 1 year										
Tooling										
Sales Expense										
Overhead										
Total Development Expense										

Annual Matl cost

EBITA
% Profit of total cost
% Profit of sales

REDACTED

REDACTED

Retail 50%

With 14% F/D KSC 60%

Dwg# Cost Ext.

S Material
1 42" PLASMA SPEAKER SYSTEM
1 46" PLASMA SPEAKER SYSTEM
1 50" PLASMA SPEAKER SYSTEM

sub-TL

SKU 1 (Box 1) 42" Front Grill Assembly Complete

1 42" Grill Dwg 8
1 1040 AL Dwg 11
2 Rail end cap dwg 12
1 Heat staked black cloth
1 Logo Badge TBD

SKU 1 (Box 1) 42" Front Grill Assembly Complete

1 46" Grill Dwg 9
1 1040 AL Dwg 11
2 Rail end cap dwg 12
1 Heat staked black cloth
1 Logo Badge TBD

SKU 1 (Box 1) 42" Front Grill Assembly Complete

1 50" Grill Dwg 10
1 1040 AL Dwg 11
2 Rail end cap dwg 12
1 Heat staked black cloth
1 Logo Badge TBD

FRONT ASSEMBLY COMPONENTS

1 Center Enclosure Dwg 5
1 Center Baffle Dwg 6
2 Left / Right speaker Enclosure Dwg 2
2 Left / Right Baffle Dwg 3
3 4" woofer
3 19mm silk dome tweeter Tweeter

REDACTED

1 Misc Speaker Wire, Hardware & Accessories

1 1 amp 4.5 - 5 volt power supply, wall wart

3 RCA stereo input connectors

Crossover Assembly (SEE DWG)

2 Transmitters with switching and resistors for speaker in

Assembly Labor PCB Stuff / Solder / RF Xmitter Assembly Crossover)

1 Test Labor

1 Inventory & Stock Labor

1 Material Overhead

1 Packaging

COMMON SKU (Box 2)

2 Power supply 2 amp 24 volt

2 Surround Enclosure

2 Surround Baffle

2 Surround Grill

2 4.00" woofer

2 19mm Tweeter

1 Misc Heat Staked Cloth

2 Rx I2S rf receiver

2 50 watt amplifiers, mono

Crossover Assembly (SEE DWG)

1 Assembly Labor (RF Receiver / Class D Amplifier Assembly)

1 Test Labor

1 Inventory & Stock Labor

1 Material Overhead

Subwoofer Assembly

1 Subwoofer Amplifier

1 Subwoofer Cabinet / baffle

1 8" Woofer

1 Rx analog rf receiver

1 Packaging

REDACTED

Dwg 2

Dwg 3

Dwg 4

Dw

Appendix C

VECSONIC ELECTRONICS INC.

3rd Industry District, Qingxi Town, Dongguan City, Guangdong Province, China

Tel: +86-769-731-5146, 773-8608, 773-4608 Fax: +86-769-773-8933

E-mail Address: vecsonic@pub.dgnet.gd.cn

QUOTATION

Messrs.

KSC

Date:

Attention:

BILL

Ref. No.:

Dear Sirs,

We are pleased to quote the following:

Model No.	Customer's Model No.	Customer's Part No.	Description of Goods	Unit Price	Min. Q'ty / Shipment
			GateWay system woofer same as motorola Mot5 woofer tweeter same as motorola Mot5 tweeter xover same as motorola mot5 enclosure. Reference customer supplied drawing, input terminal(red/black spring plastic terminal) polyfoam inner packing, then beauty carton, master carton one set including: 2 front+1center+1big steel mesh+1big plastic grille frame+2 rail end cap+1aluminum mounting tab If change to use cloth mesh, then price 46" grille kit(steel mesh with lining) 46" grille kit(cloth mesh) 50" grille kit(steel mesh with lining) 50" grille kit(cloth mesh) the grille kit packaging is brown box	FOB H.K.	REDACTED

NOTE:

1. Tooling cost for front baffle
2. Tooling cost for rear enclosure(sat)
3. Tooling cost for center channel baffle
4. Tooling cost for center channel rear enclosure
5. Tooling cost for grille frame of satelite
6. Tooling cost for plastic rail end cap
7. Tooling cost for aluminum mounting tab
8. Tooling cost for polyfoam
9. Tooling cost for 42" grille frame (with steel mesh)
10. Tooling cost for 42" grille frame (with cloth mesh)
11. Tooling cost for 42" steel mesh
12. Tooling cost for 46" grille frame (with steel mesh)

13. Tooling cost for 46" grille frame (with cloth mesh)			
14. Tooling cost for 46" steel mesh			
15. Tooling cost for 50" grille frame (with steel mesh)			
16. Tooling cost for 50" grille frame (with cloth mesh)			
17. Tooling cost for 50" steel mesh			

REDACTED

Remarks:

Sales Term:

Payment:

Delivery: Within 45 days after receipt of your confirmed order.

Validity: Subject to our final confirmation.

Authorized by:

Appendix D



8653 Avenida Costa Norte
San Diego, Ca 92154
Phone: 619-671-0110
Fax: 619-671-0330

Date: September 3, 2003

REF: Gateway LCR and Wireless Sound System
Passive System

To: Tom Grueskin
Director, Digital Television Group
Gateway Corporation
14303 Gateway Place
Poway, CA 92064

FINAL QUOTATION

CC: Dave Russell, General Manager
Helen Li, Senior Manager Digital Solutions
Andy Davenport, Contract Management Gateway

KSC INDUSTRIES, INC. is pleased to quote the following items:

Gateway Part Number	KSC Part Number	Description	Min. Qty.	Price	UOM	Lead-Time	Note
		Wireless 5.1 Passive Soundbar System Includes: 3 Channel (L/C/R) Soundbar w/ mounting rail Wireless 100 Watt 10" Sub-Woofer Wireless powered 50 Watt Surrounds Analog Tx and Rx for Subwoofer Digital Tx and Rx for Surrounds 42", 46", or 50" grille assembly as required Tooling as per April 24, 2003 Quotation	500	REDACTED	Set	11 weeks	1,4

Terms and conditions of this quotation are per stipulations below. Any additional terms, conditions, notes or exceptions must be in writing or entered in body of above quote.

1. Pricing is EX CPR and does not include Freight and Duty per agreement.
2. Pricing is based on U.S. currency
3. Product Payment terms are Net 30 EX-CPR
4. Lead time EX CPR from completion and approvals of all tooling samples & placement of firm Purchase Orders.
Allow 7 weeks in production and 3-4 weeks transport, customs, CPR preparation.

By:

Malcolm S. Hollombe
Vice President, General Manager

Gateway worksheet, 5-19-03

Description	Quantity	Price	Tooling	Extended cost
Sound bar				
5 1/4 woofer PP shielded	3			
3/4 inch silk dome tweeter	3			
Center enclosure	1			
Center baffle	1			
Center Grille Metal / cloth?	1			
Left / right enclosure	2			
Left / right baffle	2			
Left / Right grille metal / cloth?	2			
Mounting rail	1			
crossover center with connectors	1			
crossover left / right, RCA in	2			
Extrusion, Extension	2			
Hardware enclosures	1			
RCA cable	2			
Packaging, manual	1			
Labor	1			
Total				
Add Tx sub and surround	2			
Power supply	1			
RCA cable	2			
Total				
Total cost soundbar with Tx				
Surround Speaker				
5 1/4 woofer PP	2			
3 /4 inch silkdome tweeter	2			
enclosure	1			
baffle	1			
Grille metal / cloth?	2			
Crossover with RCA input	2			
Packaging	1			
Stand	2			
Labor	1			
Total				
Add Rx / amp				
Rx analog out	2			
Digital Amp / Power supply	2			
Total				
Total cost RF surround				
Wired Subwoofer				
8 Inch woofer	1			
Wood cabinet 8				
10 inch woofer				
10 inch cabinet				

REDACTED

Gateway worksheet, 5-19-03

Amp (100 watt mosfet)	1	
Amp (150 watt mosfet)	1	
Amp 100 watt digital	1	
Amp 200 watt digital	1	
RCA cable	1	
Packaging	1	
Total		REDACTED
Add Rx	1	
Total cost for RF sub		

Appendix E

ohn.Rickenbrode

From: Bill McCarty [/o=KSC+20INDUSTRIES_ou=corp_cn=recipients_cn=bill@kscind.com]
sent: Thursday, September 18, 2003 1:12 PM
To: Jeff Kuns; Jeff King; Mal S. Hollombe
Subject: FW: packaging guidelines
Attachments: Unique Package ID 040303.doc; Component Label Sample.doc; Components Marking Specifications Standard 3-18-99.doc; Product Package Label Sample.doc; Shipping Label Sample.doc; Shipping Label Specifications 3-18-99.doc; Supplier Policy Handbook.pdf

-Original Message-----

From: Grueskin, Thomas [mailto:Tom.Grueskin@gateway.com]
sent: Thursday, September 18, 2003 1:03 PM
to: 'Bill McCarty'
subject: FW: packaging guidelines

re is some of the info you're going to need for packaging.

g

-Original Message-----

From: Spilger, Brian
sent: Thursday, September 18, 2003 12:22 PM
to: Grueskin, Thomas
subject: RE: packaging guidelines

Tom - Here you go. This does not include Regulatory Cmpl / Safety and UPC those are handled by other teams. These are just for the general bar codes and labels.

an Spilger
teway SQE Team Lead Displays & TV's
505-232-2000 x21824
505-232-2288
ger: 888-MCI-2WAY 1729352
ger: Spilger@skytel.com

ohn.Rickenbrode

From: Bill McCarty [IMCEAEX_O=KSC+20INDUSTRIES_OU=corp_CN=RECIPIENTS_CN=BILL@kscind.com]
sent: Wednesday, November 05, 2003 8:15 AM
To: Chris Larson; Don Belanger; Eric Brooking; Jeff King; Jim Wei; Jinsong Chen; Mal S. Hollombe
Subject: Preliminary data for use in Soundbar discussion
Attachments: KSC Soundbar with revised Aelite pricing 10-28.xls

<SC Soundbar with revised Aelite pricing 10-28.xls>>

Please note that new pricing is coming from Sonavox, but this is all I have to date, you will need revised target pricing and that is what they are working too.

ohn.Rickenbrode

From: Bill McCarty [IMCEAEX_O=KSC+20INDUSTRIES_OU=CORP_CN=RECIPIENTS_CN=BILL@kscind.com]
sent: Thursday, November 13, 2003 8:01 AM
to: Jeff King
Subject: Soundbar review
Attachments: KSC Soundbar OEM 11-13-03.xls

would like to meet with you today on this to discuss
use review
<KSC Soundbar OEM 11-13-03.xls>>

John.Rickenbrode

From: Mal S. Hollombe [IMCEAEX-
_O=KSC+20INDUSTRIES_OU=corp_CN=RECIPIENTS_CN=MALCOLM@kscind.com]
Sent: Thursday, December 18, 2003 5:26 PM
To: Sweeney, Carl
Cc: Bill McCarty; Jeff King
Subject: RE: Gateway Home Theater in the Box RFQ

arl,

SC is very interested in participating in this program and we will compete.

The bottom of this letter indicates that there was a November 22 deadline of some sort. Since we got this just this evening, are e still in play?

KSC's offices will be closed from December 23 through January 2. We will endeavor to have our responses ready for your review as quickly thereafter as possible, keeping in mind that we are also heavily involved with the Consumer Electronics Show (CES) in Las Vegas January 7-11.

KSC's proposed system is one which Tom Grueskin is quite familiar with and which we have shown and demonstrated on more than one occasion at Gateway.

In light of the above, will KSC still be considered for this program. Please contact Bill McCarty at (319) 623-1100 ext. 220. He is SC's VP Development and he is in tomorrow all day. I am out of office but available by Cellular phone (319) 623-1100 ext. 220.

hank you for the opportunity.

Ial Hollombe
ice President, General Manager
SC Industries, Inc.

-----Original Message-----

From: Sweeney, Carl [mailto:Carl.Sweeney@gateway.com]
Sent: Thursday, December 18, 2003 5:16 PM
Cc: Nuttall, Tim; Sweeney, Carl
Subject: Gateway Home Theater in the Box RFQ

Dear Valued Supplier/Partner:

Your organization is invited to participate in the RFP process for our "Gateway Branded" Home Theater in a Box products. The intent of this exercise is to gather all information on the elements identified within this request, which will provide a means for Gateway to compare and determine a supplier/partner to fulfill some or all of our Home Theater requirements. As part of this RFP exercise, we would like to gather information on the products identified within the text below .

- Entry-, Mid-, High-level Receiver Products
 - Targeted Introduction Date: April, 2004
 - Estimated monthly volume potential: 1500--2000.
 - Specification: Attached

- Entry-, Mid-, High-level Receiver Products
 - Targeted Introduction Date: April 1, 2004
 - Estimated monthly volume potential: 1500--2000.
 - Specification: Attached

Some key points on this program are as follows, but not limited to:

- Please include project timelines for each of your product proposals.
- An NDA will be required-please contact me immediately if our companies do not have a signed NDA.

- Supplier shall set up a relationship with a Gateway authorized local CPR/HUB provider. (more details within the GSPA)
 - Third Party CPR/HUB Contact:
1.EI liott Welsh, Ingram Micro Logistics, National Accounts Director. 281-646-7609 (tel), 832-721-6526 (cell)
- Supplier shall provide a complete organizational matrix identifying key points of contact for the following functional areas within your organization: sales, marketing, quality, engineering, materials, purchasing, transportation and logistics, manufacturing, etc...
- Selected supplier and/or supplier(s) will provide Gateway 3 samples of each product (12-receivers, 12-speaker sets) for engineering qualification of each product selected.
- Include in your quotations, a quarter over quarter cost takedown % assuming a product launch in Q2-04.
- We request that you quote a 12 month, 36 month and lifetime warranty. As you put together your quotation, please identify the warranty on each product, along with manufacturing location, number of manufacturing locations and the % of supply upside demand each facility can handle within a given time period. In addition, please break each of your price points down to include BOM, Direct Materials, manufacturing, transportation, warranties, etc...
- Identify the FOB terms on your quotation.
- Include a complete specification for each product, including all licenses and certifications for both FCC, industry standards. (e.g. Dolby, THX, Macrovision, DTS, etc...)
- Include jpeg pictures of each of your proposed products.
- Include an overview of your overall quality policy and program.
- Please highlight any marketing and/or rebate programs incremental to your proposal that your team is willing to offer to jointly grow this market with Gateway.
- Provide quotation on core competency only. We will take partner recommendations.

I have attached some documents to this email which I have identified below for your reference:

- Attachment 1 - Gateway Home Theater Receiver Products RFQ.
- Attachment 2 - Gateway Home Theater Speaker Products RFQ
- Attachment 3 --Gateway HTIB Eng Requirements 1.0

Please note that the RFQ files (Attachment 1 and 2) include the RFQ template to be utilized in responding to the hardware cost and the supporting documentation required for this RFP exercise. Feel free to utilize this template in your response, or utilize it as guidance on the elements that must be contained within your final quotation. (BOM, Direct Materials, manufacturing, transportation, warranties, etc.)

Estimated RFP Timelines

- December 18, 2003 - Request for proposal sent to supply base for review and response.
- January 5, 2004 - All participant's proposals sent and received by Carl Sweeney by noon PST.
- January 5--14, 2004 -- Question and Answer Period - Gateway and RFP Participants
- January 14, 2004 - Gateway team meeting internally to make a supply/partner selection.
- Business Award Target: January 14 , 2004.
- Products Launch Date Target: April, 2004.

Please confirm receipt of this correspondence and if you organization will be participating in this RFP.

During this RFP period, all questions and/or inquires relative to this RFP need to be directed to my attention (or Tim Nuttall during the week of 12/22) via email, voice mail or verbal communications. All responses to this RF need to be sent to me by noon, Pacific Std Time, November 11, 2003. Any responses received after the due date will not be considered for this opportunity.

Good luck.

Carl Sweeney

Carl Sweeney
Gateway, Inc.
14303 Gateway Place
Poway, CA 92064
858-848-3720

Appendix F

Appendix F

Tom Arno

From: Bill McCarty [mccarty@kscind.com]
Sent: Monday, November 17, 2003 2:26 PM
To: 'James Herkenhoff'; 'Tom Arno'
Subject: FW: Patents

Discussion points for today

-----Original Message-----

From: Jeff King
Sent: Monday, November 17, 2003 1:09 PM
To: Bill McCarty
Cc: Jim Wei
Subject: Patents

16A

Possible patentable items:

- Expandable Soundbar → REGULAR UTILITY
-

REDACTED

Jeff

Appendix G

John.Rickenbrode

From: Tom Arno
Sent: Wednesday, January 14, 2004 6:03 PM
To: 'Bill McCarty'; Jeff King
Cc: Janet Christy; John Rickenbrode
Subject: RE: Follow up to previous and todays meeting

Attachments: jgr-1273.doc; KSCII.016A-DRW.pdf



jgr-1273.doc (780 KB) KSCII.016A-DRW.pdf (2 MB)

Bill and Jeff,

Here is a draft soundbar application for your review. We are still getting the drawing finalized.

Tom

-----Original Message-----

From: Bill McCarty [mailto:mccarty@kscind.com]
Sent: Thursday, December 04, 2003 3:25 PM
To: Jeff King; 'James Herkenhoff'; 'Tom Arno'
Subject: Follow up to previous and todays meeting

Previous meeting Monday Nov. 17
The actions from the meeting were as follows:
Meeting today Dec. 4
The status is indicated under the action

REDACTED

Action: Trademark possibility for Soundbar and patent on mechanical mounting and universal design of grille:

Status: We reviewed the significance of the modular design. The most significant issue of the design is to allow the retailer or seller of the product to stock limited number of high cost SKUs, such as speakers, electronics inside speaker or mounted on bar. By having the modular approach the retailer can have multiple Grille and mounting bar SKUs to support a myriad of flat panel dimensions. In other words, you could for example have one SKU that contains a 3 speaker package that is designed to work with LCD type TVs and offer separate grille and bar kits to support a variety of TV dimensions (15" to 30") and offer a variety of colors. The same can be done for Plasma TVs, offering a speaker SKU and separate grille and bar kits that support TVs ranging in 42" to 60" and optional colors. This allows the retailer the opportunity offer a product that appears to be special for each TV type, while controlling inventory costs and minimizing the number of high cost SKUs. Also just the nature of the mechanical design is significant. The other option for the soundbar is in table top applications, the center channel can be designed to be the mounting base or pedestal for the flat panel TV, allowing the consumer ease / optimal placement of center channel directly under TV.

REDACTED

I am sure there are many questions and specifics that need to be addressed, so please let me know of any requirements.

Appendix H

ohn.Rickenbrode

From: John Rickenbrode
Sent: Wednesday, February 11, 2004 6:10 PM
To: 'mccarty@kscind.com'; 'jking@kscind.com'
Cc: 2tra
Subject: Sound bar/mounting bar patent application; our reference: KSCII.016A
Attachments: jgr-1273.doc

Arno has asked me to pass on this draft of the above-entitled patent application for your review. The draft incorporates changes based your meeting with Tom and James. There are no changes to the figures other than some minor corrections to layout lines. The attached draft has change tracking enabled to highlight the revisions.

If you have any questions, please call Tom, James, or myself.
Regards,

John Rickenbrode
Kobbe Martens Olson & Bear, LLP
10 West "C" St., Suite 1200
San Diego, CA 92101
(619) 235-8665 (Direct)
(619) 235-0176 (fax)
rickenbrode@kmob.com
My Profile <http://www.kmob.com/Pages/jgr.cfm>